

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CRIMINAL No.
21-10350-LTS

UNITED STATES OF AMERICA

v.

HARRY TAM, et al.¹

INTERIM STATUS REPORT

March 29, 2022

DEIN, M.J.

An Interim Status Conference was scheduled to be held remotely before this court on March 29, 2022 pursuant to the provisions of Local Rule 116.5(b), but with the court's consent the parties proceeded by way of a joint status report (Docket No. 108). Based on that report, this court enters the following report and orders to wit:

1. The government produced an extensive amount of automatic discovery on January 14, 2022, January 19, 2022, February 6, 2022 and March 11, 2022 and has continued to produce additional discovery as it becomes available.
2. The government anticipates producing additional discovery on a rolling basis, and expects to complete its automatic discovery in 30 days. The defendants are continuing to review the discovery and will determine whether to request additional discovery.
3. The date for filing discovery and/or dispositive motions shall be set at the next status conference.
4. The date for filing expert disclosures, if any, shall be set at the next status conference.
5. This court finds and concludes, pursuant to the provisions of 18 U.S.C. § 3161(h)(7)(A) and Section 5(b)(7)(B) of the Plan for Prompt Disposition of Criminal Cases in the United States District Court for the District of Massachusetts (Statement of Time Limits Adopted by the Court and Procedures for Implementing Them, Effective December 2008) that the defendants require additional time for the preparation of an effective defense, including time for review of the evidence, preparation of motions, and consideration of alternatives concerning how best to proceed with this matter, and that the interests of justice outweighs the best interests of the public and the defendants for a trial within seventy days of the return of an indictment.

¹ This status report relates to Harry Tam, Tony Nguyen, Marcus Leyden, Henry Vuong, Robert Ostrander, James Colamaria, Vincent Duong, Eli Sanders and Jacob Parlin.

Accordingly, it is hereby ordered that the Clerk of this Court enter excludable time for the period of March 29, 2022 through May 24, 2022, that being the period between the expiration of the last order of excludable time and the next status conference.

Based upon the prior order of the court dated February 1, 2022 (including the orders of excludable time referenced therein) and the order entered contemporaneously herewith, at the time of the Interim Status Conference on May 24, 2022 there will be zero (0) days of non-excludable time under the Speedy Trial Act and seventy (70) days will remain under the Speedy Trial Act in which this case must be tried.

6. An Interim Status Conference has been scheduled for May 24, 2022 at 10:00 a.m. Counsel for the respective parties shall file a Joint Memorandum before the close of business no less than THREE business days prior to that Status Conference.
7. It is too early to determine if a trial will be necessary.

_____/ s / Judith Gail Dein
JUDITH GAIL DEIN
UNITED STATES MAGISTRATE JUDGE